

**CHAPTER NO. 74**

**SENATE BILL NO. 2858**

**By Clabough**

**Substituted for: House Bill No. 2631**

**By Montgomery, Mr. Speaker Naifeh**

AN ACT To repeal Chapter 380 of the Private Acts of 1927; as amended by Chapter 351 of the Private Acts of 1939; Chapter 539 of the Private Acts of 1941; Chapter 178 of the Private Acts of 1943; Chapter 484 of the Private Acts of 1947 and Chapter 150 of the Private Acts of 1949, and all other acts amendatory thereto; and to divide Sevier County into school districts and provide for the number, election, and terms of members of the Sevier County Board of Education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 380 of the Private Acts of 1927; as amended by Chapter 351 of the Private Acts of 1939; Chapter 539 of the Private Acts of 1941; Chapter 178 of the Private Acts of 1943; Chapter 484 of the Private Acts of 1947 and Chapter 150 of the Private Acts of 1949, and all other acts amendatory thereto, is hereby repealed.

SECTION 2. Sevier County shall be divided into five (5) school board districts of substantially equal population, which shall be established by resolution of the county legislative body from time to time, pursuant to Tennessee Code Annotated, Section 49-2-201(a)(1).

SECTION 3. The Sevier County Board of Education (the Board) shall consist of five (5) members, with one (1) member of the Board being elected by the qualified voters in each school board district on a non-partisan basis. Board members shall be elected to staggered four-year terms. Persons elected in the regular August general elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

SECTION 4. The Board shall have the same powers, duties, and privileges and qualifications as the Board of Education established pursuant to Tennessee Code Annotated, Title 49.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Sevier County. Its approval or nonapproval shall be proclaimed by the presiding officer of Sevier County and certified to the Secretary of State.

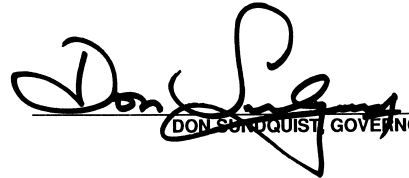
SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 6.

**PASSED: February 7, 2002**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 7<sup>th</sup> day of February 2002

  
DON SUNDQUIST, GOVERNOR